

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

LEON HENRY CARTER III,

Plaintiff,

v.

ORDER

Civil File No. 13-2369 (MJD/LIB)

RALPH CLARK,
PLASTECH INDUSTRIES, and
PLASTECH CORPORATION,

Defendants.

Leon Henry Carter, III, pro se.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois filed November 1, 2013. [Docket No. 10] Plaintiff Leon Henry Carter, III filed objections to the Report and Recommendation. [Docket No. 11]

Pursuant to statute, the Court has conducted a de novo review upon the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). The Court notes Plaintiff's representation that a third party completed payment of his initial partial filing

fee on October 16, 2013, one day after the extended deadline. However, upon review of the record and the Court's financial records, there is no evidence that this payment was made. Accordingly, the Court holds that Defendant has 30 days from today's date to file a receipt of this payment with the Court. If Defendant has not provided the Court with a receipt of the payment within 30 days, the Court will adopt the Report and Recommendation of United States Magistrate Judge Brisbois filed November 1, 2013.

Accordingly, based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that on or before 30 days of the date of this Order, Defendant provide the Court with a receipt indicating that a third party completed payment of his initial partial filing fee to the Court on October 16, 2013.

Dated: December 5, 2013

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court